

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA and
STATE OF GEORGIA *ex rel.* JOSEPH
SMITH,

Plaintiffs,

v.

BUY WISE DRUGS, INC., and
JOSEPH FLOYD BREWER,

Defendants.

FILED UNDER SEAL

Civil Action No. 3:19-CV-99

ORDER

The United States of America and the State of Georgia, having declined to intervene in this action pursuant to the False Claims Act, [31 U.S.C. § 3730\(b\)\(4\)\(B\)](#), and the Georgia False Medicaid Claims Act, [O.C.G.A. § 49-4-168.2\(c\)\(4\)\(B\)](#), the Court rules as follows:

IT IS ORDERED that:

1. The complaint be unsealed and served upon the defendants by the relator;
2. All other contents of the Court's file in this action remain under seal and not be made public or served upon the defendants, except for this Order and the United States and State of Georgia's Notice of Election to Decline Intervention, which the relator will serve upon the defendants only after service of the complaint;

3. The seal be lifted as to all other matters occurring in this action after the date of this Order;
4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States and State of Georgia, as provided for in [31 U.S.C. § 3730\(c\)\(3\)](#) and [O.C.G.A. § 49-4-168.2\(f\)](#). The United States and State of Georgia may order any deposition transcripts and are entitled to intervene in this action, for good cause, at any time;
5. The parties shall serve all notices of appeal upon the United States and State of Georgia;
6. All orders of this Court shall be sent to the United States and State of Georgia; and
7. Should the relator or defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States and State of Georgia before ruling or granting its approval.

SO ORDERED this the 23rd day of May, 2023.

S/Clay D. Land

CLAY D. LAND
U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA